

within the jurisdiction of the United States Government.

Mr. Speaker, this legislation makes it a federal crime to "travel with intent to engage in illicit sexual conduct." I do think this is a practical approach to the problem. It seems that this bill actually seeks to probe the conscience of anyone who seeks to travel abroad to make sure they do not have illegal or immoral intentions. It is possible or even advisable to make thoughts and intentions illegal? And how is this to be carried out? Should federal agents be assigned to each travel agency to probe potential travelers as to the intent of their travel?

At a time when federal resources are stretched to the limit, and when we are not even able to keep known terrorists out of our own country, this bill would require federal agents to not only track Americans as they vacation abroad but would require that they be able to divine the intentions of these individuals who seek to travel abroad. Talk about a tall order! As well-intentioned as I am sure this legislation is, I do not believe that it is a practical or well-thought-out approach to what I agree is a serious and disturbing problem. Perhaps a better approach would be to share with those interested countries our own laws and approaches to prosecuting those who commit these kinds of crimes, so as to see more effective capture and punishment of these criminals in the countries where the crime is committed.

Mr. SMITH of New Jersey. Mr. Speaker, I rise in strong support of H.R. 4477, the "Sex Tourism Prohibition Improvement Act." Chairman SENSENBRENNER, I thank you for moving this important piece of legislation through your Committee to the House floor and commend you for your leadership on this most serious issue. As the prime author of the "Victims of Trafficking and Violence Protection Act of 2000," legislation that strengthens penalties against those running trafficking rings and provides services as well as protection for victims, I have followed this issue closely.

Sex tourism is a heinous, deplorable activity that is on the rise around the world. In many cases, men prey upon underage girls in prostitution rings who are forced sex slaves. We know that Americans are traveling abroad as part of the sex tourism industry in large numbers. Sadly, it is estimated that there are more than 25 organized sex tour companies based in Miami, New York, and San Diego alone.

Current law states that a person can only be held liable for traveling internationally to engage in sex with a minor if prosecutors can prove he intended to do so before leaving this country. As you might imagine, proving intent in such cases is extremely difficult, basically creating a loophole in the law for men who go abroad to have sex with minors, which in the United States is considered statutory rape.

Thankfully, Chairman SENSENBRENNER's bill will close this intent loophole in the sex tourism industry. While the "Victims of Trafficking and Violence Protection Act of 2000," seeks to punish those running sex trafficking rings and nations that fail to combat human trafficking, the enactment of H.R. 4477 into law will give law enforcement officials the additional powers they need in prosecuting the accomplices of the sex traffickers, those who feed into the industry abroad by paying for sex with minors or other illicit sexual conduct with another person.

Last week, I chaired the International Relations Committee's hearing on the recently released State Department's annual Trafficking in Person's Report. This report ranks countries based on their efforts to combat trafficking, placing them in three different tiers. Countries that fail to take even minimal steps to combat trafficking and are placed on the lowest tier, Tier 3, and will be ineligible to receive non-humanitarian foreign assistance, beginning with the foreign aid budget for FY 2004.

Although some progress has been made, much, much work still needs to be done as the exploitation and bondage of young girls in the sex industry continues to run rampant both in this country and throughout the world. At our hearing, videos were played by human rights groups showing girls as young as 8 and 9 years old being rescued from sex trafficking rings in India and Cambodia. While this is practically unimaginable for decent people to fathom, those involved with the sex industry reason that the younger the girl, the less chance of her infecting the sex tourist with HIV/AIDS.

Sadly we know that many Americans go abroad to prey on young girls in other countries because laws protecting women are very weak, non-existent, or not enforced. I was recently presented a videotape containing undercover footage taken by FOX News near an American military installation in South Korea that shows American military personnel on assignment patrolling establishments where their fellow soldiers were soliciting sex from forced prostitutes.

As Chairman of the House Veteran's Affairs Committee, I have the greatest respect for the men and women who serve in the United States military and it greatly saddens me to report on this case in South Korea before this chamber. A number of my colleagues have joined me in signing a letter to Secretary Rumsfeld asking him to conduct a full investigation into this case.

We must expect the absolute best from the men and women who serve our country while living in foreign countries, both when they are on and off duty. We must also expect any American traveling or living abroad to abide by the standards of decency and respect for women we maintain and set by our laws here in the U.S.—standards we attempt to promote throughout the world through our foreign policy and diplomacy.

As members of Congress, we must continue to fight against the exploitation of women and children through sex trafficking until every person imprisoned in the sex industry is set free. Again, I commend Chairman SENSENBRENNER for his leadership on this issue.

Mrs. MALONEY of New York. Mr. Speaker, I rise in strong support of this legislation.

The exploitation of the world's young women and children in sex trafficking is a tragic human rights offense. Many of these victims are kidnapped, sold, or tricked into brothel captivity.

Trafficking isn't just a problem in other countries. Each year, men, women, and children from all over the world are brought into the United States for the sole purpose of being bought and sold by American citizens for commercial sex. Some estimates place the number as high as 750,000 individuals over the past decade. Instead of dreams of better jobs and better lives, they are trapped into a nightmare of coercion, violence, and disease.

It is important that we protect the victims of the sex trade industry, and punish the predators that exploit them. Made up of recruiters, traffickers, brothel owners, customers and other crime syndicates, the industry profits from the victimization of individuals who cannot defend themselves.

I have worked on the trafficking issue for many years. To stop the actions of sex tour operators like Big Apple Oriental Tours, which is based in New York City, I wrote to the District Attorney and to then-U.S. Attorney General Janet Reno asking them to use State and Federal laws to stop U.S.-based tour groups that feed off the sexual exploitation of impoverished women and young girls in developing countries. New York law prohibits promoting prostitution or profiting from prostitution, yet Big Apple Tours was doing just that.

This legislation would set civil and criminal penalties for certain individuals who engage in sex trafficking. Furthermore, it sets similar penalties for those individuals who arrange these meetings.

We must do more to stop the many human rights abuses inflicted on men, women, and children around the world. Preventing trafficking is an important step to ending the sex trade industry. Although we continue to make important advances in the rights of women throughout the world, as long as there are women whose freedoms, livelihoods, bodies, and souls are held captive because of trafficking, our work will never be done.

I thank the gentleman from Wisconsin for his work on this issue and urge a "yes" vote on this bill.

Mr. SCOTT. Mr. Speaker, I yield back the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 4477, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. SENSENBRENNER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### NEW HAMPSHIRE-VERMONT INTERSTATE SCHOOL COMPACT CONSENT ACT

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3180) to consent to certain amendments to the New Hampshire-Vermont Interstate School Compact.

The Clerk read as follows:

H.R. 3180

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is given to the amendment to the New Hampshire-Vermont Interstate School Compact which have been agreed to by such*

States that is substantially as follows: Article VII D of such compact is amended to read as follows:

"D. AUTHORIZATION PROCEEDINGS.—An interstate district shall authorize the incurring of debts to finance capital projects by a majority vote of the district passed at an annual or special district meeting. Such vote shall be taken by secret ballot after full opportunity for debate, and any such vote shall be subject to reconsideration and further action by the district at the same meeting or at an adjourned session thereof. As an alternative, an interstate district may provide in its articles of agreement that such a vote be conducted by Australian or official balloting under procedures as set forth in the articles of agreement, and that such vote be subject to any method of reconsideration, if any, which the interstate district sets forth in the articles of agreement.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from North Carolina (Mr. WATT) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

#### GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3180.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 3180 was introduced by the gentleman from New Hampshire (Mr. BASS) and the gentleman from Vermont (Mr. SANDERS) to amend the New Hampshire-Vermont Interstate School Compact originally approved by Congress in 1969. H.R. 3180 would enable participating interstate school districts to modify the manner in which local school bond issues are considered by the voters. Last year, residents of the Dresden interstate school district, which encompasses the cities of Hanover, New Hampshire, and Norwich, Vermont, voted to approve these changes. The legislatures of New Hampshire and Vermont subsequently ratified these amendments.

Rather than imposing a State or Federal solution upon local school boards, H.R. 3180 maintains the primacy of local school authorities by permitting locally-elected officials to avail themselves of the modified balloting procedures contained in the bill only if they elect to do so.

Mr. Speaker, I urge support of this non-controversial but necessary measure.

Mr. Speaker, I reserve the balance of my time.

Mr. WATT of North Carolina. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 3180, to consent to certain amendments to the New Hampshire-Vermont Interstate School Compact.

H.R. 3180 was introduced by the gentleman from New Hampshire (Mr. BASS) and the gentleman from Vermont (Mr. SANDERS) to provide participating interstate school districts with the option of choosing all day so-called Australian balloting to occur to support school construction.

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The proposed amendments make these decisions a matter of local prerogative and do not dictate a statewide or Federal approach to resolving these questions.

The New Hampshire-Vermont Compact was originally approved by Congress in 1969 to increase educational opportunities and promote administrative efficiency. Under the original compact, State and local financial support was channeled into two combined districts to reflect State and local contributions; but because Vermont gave more monetary support than New Hampshire, uneven funding allocations emerged. In 1978, Congress consented to a number of clarifying amendments to the original compact to ensure that participating school districts would receive support commensurate with their contributions.

The substance of H.R. 3180 was initiated by residents of the Dresden School District, seeking to amend the compact to allow all-day voting procedures when voting on whether to incur debt. Presently voting on whether to incur debt is conducted under a town hall meeting format, which permits voting only at the conclusion of the meeting. The residents contend that the Australian all-day voting is superior over the town hall meeting format in at least two respects. First, the all-day format is consistent with the way the district conducts its annual district meetings; and, second, and probably more important, the all-day method would allow more voters to weigh in on critical bond issues.

Mr. Speaker, this bill was reported favorably without amendment from the Committee on the Judiciary, and I urge Members to support this noncontroversial legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield such time as he may consume to the gentleman from New Hampshire (Mr. BASS), who is the author of the bill.

Mr. BASS. Mr. Speaker, I thank the distinguished chairman of the committee and the gentleman from North Carolina (Mr. WATT) for their having brought this bill to the floor in a timely fashion, and I appreciate their comments which are right on the mark.

This is the kind of issue that would be resolved probably in a matter of days in any school district anywhere in the country. As has been mentioned, the problem is that this particular school district crosses State lines. So, as a result, there is a special procedure whereby they can change their bylaws,

and that is the procedure we are undertaking today.

Both the Vermont side of the school district and the New Hampshire side want to have this different so-called "Australian ballot system" in place, which allows the polls, so to speak, to be open during the entire period of the school district meeting or a whole day versus just having a period of voting at the end of the meeting when most people have left. Because it requires the approval of both legislatures of the States, which has occurred, and the approval of Congress, because it is an interstate compact, that is why we are here today.

Eighty-eight percent of the district voters supported this rule change. It is supported by the gentleman from Vermont (Mr. SANDERS), and I urge the House to vote affirmatively on this important measure, which needs to be sent to the Senate as soon as possible.

Mr. WATT of North Carolina. Mr. Speaker, I yield as much time as he may consume to the gentleman from Vermont (Mr. SANDERS).

Mr. SANDERS. Mr. Speaker, I thank the gentleman from North Carolina (Mr. WATT) for yielding me the time. I apologize for being late. I will be very brief.

Mr. Speaker, I rise today in support of H.R. 3180, the New Hampshire-Vermont Interstate School Compact Consent. This bill will permit the residents of the Dresden School District, which includes Norwich, Vermont, and Hanover, New Hampshire, to implement a change in the procedure used to approve bond initiatives.

The Dresden School District, with the approval of the legislatures of Vermont and New Hampshire, wants to be able to implement all-day secret balloting when appropriate instead of the town meeting system, which is the only approved method currently. Given that the communities involved and the respective States have approved this initiative, we in the Congress should grant our approval.

I thank the chairman and ranking member for moving this bill, and I urge its adoption.

Mr. WATT of North Carolina. Mr. Speaker, I yield back the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, since the gentleman from Vermont did not get into dairy policy and upset the cows of the chairman of the Judiciary Committee and the speaker pro tempore unduly with his remarks, I will yield back the balance of my time as well.

The SPEAKER pro tempore (Mr. GUTKNECHT). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 3180.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. SENSENBRENNER. Mr. Speaker, on that I demand the yeas and nays. The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

### SOCIAL SECURITY PROGRAM PROTECTION ACT OF 2002

Mr. SHAW. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4070) to amend the Social Security Act and the Internal Revenue Code of 1986 to provide additional safeguards for Social Security and Supplemental Security Income beneficiaries with representative payees, to enhance program protections, and for other purposes, as amended.

The Clerk read as follows:

H.R. 4070

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Social Security Program Protection Act of 2002".

(b) TABLE OF CONTENTS.—The table of contents is as follows:

#### Sec. 1. Short title and table of contents.

##### TITLE I—PROTECTION OF BENEFICIARIES

###### Subtitle A—Representative Payees

- Sec. 101. Authority to reissue benefits misused by organizational representative payees.
- Sec. 102. Oversight of representative payees.
- Sec. 103. Disqualification from service as representative payee upon conviction of offenses resulting in imprisonment for more than 1 year and upon fugitive felon status.
- Sec. 104. Fee forfeiture in case of benefit misuse by representative payees.
- Sec. 105. Liability of representative payees for misused benefits.
- Sec. 106. Authority to redirect delivery of benefit payments when a representative payee fails to provide required accounting.

###### Subtitle B—Enforcement

- Sec. 111. Civil monetary penalty authority with respect to wrongful conversions by representative payees.

##### TITLE II—PROGRAM PROTECTIONS

- Sec. 201. Civil monetary penalty authority with respect to knowing withholding of material facts.
- Sec. 202. Denial of title II benefits to fugitive felons and persons fleeing prosecution.
- Sec. 203. Requirements relating to offers to provide for a fee a product or service available without charge from the Social Security Administration.
- Sec. 204. Refusal to recognize certain individuals as claimant representatives.
- Sec. 205. Penalty for corrupt or forcible interference with administration of Social Security Act.
- Sec. 206. Use of symbols, emblems, or names in reference to social security or medicare.

##### TITLE III—ATTORNEY FEE PAYMENT SYSTEM IMPROVEMENTS

- Sec. 301. Cap on attorney assessments.
- Sec. 302. Extension of attorney fee payment system to title XVI claims.

##### TITLE IV—MISCELLANEOUS AND TECHNICAL AMENDMENTS

###### Subtitle A—Amendments Relating to the Ticket to Work and Work Incentives Improvement Act of 1999

- Sec. 401. Application of demonstration authority sunset date to new projects.
- Sec. 402. Expansion of waiver authority available in connection with demonstration projects providing for reductions in disability insurance benefits based on earnings.
- Sec. 403. Funding of demonstration projects provided for reductions in disability insurance benefits based on earnings.
- Sec. 404. Availability of Federal and State work incentive services to additional individuals.
- Sec. 405. Technical amendment clarifying treatment for certain purposes of individual work plans under the Ticket to Work and Self-Sufficiency Program.

###### Subtitle B—Miscellaneous Amendments

- Sec. 411. Elimination of transcript requirement in remand cases fully favorable to the claimant.
- Sec. 412. Nonpayment of benefits upon removal from the United States.
- Sec. 413. Reinstatement of certain reporting requirements.
- Sec. 414. Clarification of definitions regarding certain survivor benefits.
- Sec. 415. Clarification respecting the FICA and SECA tax exemptions for an individual whose earnings are subject to the laws of a totalization agreement partner.
- Sec. 416. Coverage under divided retirement system for public employees in Kentucky.
- Sec. 417. Compensation for the Social Security Advisory Board.

###### Subtitle C—Technical Amendments

- Sec. 431. Technical correction relating to responsible agency head.
- Sec. 432. Technical correction relating to retirement benefits of ministers.
- Sec. 433. Technical corrections relating to domestic employment.
- Sec. 434. Technical corrections of outdated references.
- Sec. 435. Technical correction respecting self-employment income in community property States.

##### TITLE I—PROTECTION OF BENEFICIARIES

###### Subtitle A—Representative Payees

#### SEC. 101. AUTHORITY TO REISSUE BENEFITS MIS- USED BY ORGANIZATIONAL REP- RESENTATIVE PAYEES.

##### (a) TITLE II AMENDMENTS.—

(1) REISSUANCE OF BENEFITS.—Section 205(j)(5) of the Social Security Act (42 U.S.C. 405(j)(5)) is amended by inserting after the first sentence the following new sentences: "In any case in which a representative payee—

"(A) that is not an individual (regardless of whether it is a 'qualified organization' within the meaning of paragraph (4)(B)); or

"(B) is an individual who, for any month during a period when misuse occurs, serves 15 or more individuals who are beneficiaries under this title, title VIII, title XVI, or any combination of such titles;

misuses all or part of an individual's benefit paid to such representative payee, the Com-

missioner of Social Security shall certify for payment to the beneficiary or the beneficiary's alternative representative payee an amount equal to the amount of such benefit so misused. The provisions of this paragraph are subject to the limitations of this paragraph (7)(B)."

(2) MISUSE OF BENEFITS DEFINED.—Section 205(j) of such Act (42 U.S.C. 405(j)) is amended by adding at the end the following new paragraph:

"(8) For purposes of this subsection, misuse of benefits by a representative payee occurs in any case in which the representative payee receives payment under this title for the use and benefit of another person and converts such payment, or any part thereof, to a use other than for the use and benefit of such other person. The Commissioner of Social Security may prescribe by regulation the meaning of the term 'use and benefit' for purposes of this paragraph."

##### (b) TITLE VIII AMENDMENTS.—

(1) REISSUANCE OF BENEFITS.—Section 807(i) of the Social Security Act (42 U.S.C. 1007(i)) is amended by inserting after the first sentence the following new sentences: "In any case in which a representative payee—

"(1) that is not an individual; or

"(2) is an individual who, for any month during a period when misuse occurs, serves 15 or more individuals who are beneficiaries under this title, title II, title XVI, or any combination of such titles;

misuses all or part of an individual's benefit paid to such representative payee, the Commissioner of Social Security shall pay to the beneficiary or the beneficiary's alternative representative payee an amount equal to the amount of such benefit so misused. The provisions of this paragraph are subject to the limitations of subsection (1)(2)."

(2) MISUSE OF BENEFITS DEFINED.—Section 807 of such Act (42 U.S.C. 1007) is amended by adding at the end the following new subsection:

"(j) MISUSE OF BENEFITS.—For purposes of this title, misuse of benefits by a representative payee occurs in any case in which the representative payee receives payment under this title for the use and benefit of another person and converts such payment, or any part thereof, to a use other than for the use and benefit of such other person. The Commissioner of Social Security may prescribe by regulation the meaning of the term 'use and benefit' for purposes of this subsection."

(3) TECHNICAL AMENDMENT.—Section 807(a) of such Act (42 U.S.C. 1007(a)) is amended, in the first sentence, by striking "for his or her benefit" and inserting "for his or her use and benefit".

##### (c) TITLE XVI AMENDMENTS.—

(1) REISSUANCE OF BENEFITS.—Section 1631(a)(2)(E) of such Act (42 U.S.C. 1383(a)(2)(E)) is amended by inserting after the first sentence the following new sentences: "In any case in which a representative payee—

"(i) that is not an individual (regardless of whether it is a 'qualified organization' within the meaning of subparagraph (D)(ii)); or

"(ii) is an individual who, for any month during a period when misuse occurs, serves 15 or more individuals who are beneficiaries under this title, title II, title VIII, or any combination of such titles;

misuses all or part of an individual's benefit paid to the representative payee, the Commissioner of Social Security shall make payment to the beneficiary or the beneficiary's alternative representative payee of an amount equal to the amount of the benefit so misused. The provisions of this subparagraph are subject to the limitations of subparagraph (H)(ii)."

(2) EXCLUSION OF REISSUED BENEFITS FROM RESOURCES.—Section 1613(a) of such Act (42 U.S.C. 1382b(a)) is amended—